

*Sept. 1830
Cameron
Donor*

CONSTITUTION

AND

CANONS

OF THE

PROTESTANT EPISCOPAL CHURCH,

IN THE

DIOCESS OF NORTH CAROLINA,

As amended and passed at the Convention of the Church in Wilmington,

May 22d, 1830.

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CONSTITUTION

OF THE

PROTESTANT EPISCOPAL CHURCH IN NORTH CAROLINA,

As amended at the Convention in May, 1830.

ARTICLE I.

The Protestant Episcopal Church in this State, accedes to, recognizes, and adopts, the General Constitution of the Protestant Episcopal Church of the United States, and acknowledges its authority accordingly.

ARTICLE II.

There shall be an Annual Convention of the Church in this Diocese, at such time and place as may be fixed by the next preceding Convention.

ARTICLE III.

The Convention shall be composed of Clergymen and Laymen. Each regularly ordained Minister, of either order, being settled with a parochial charge in this State; or being a President, Professor, or Instructor of youth, in any Seminary of Learning in this State; or being a Missionary of the Protestant Episcopal Church, acting under the direction of the Ecclesiastical authority of this Diocese, shall be entitled to a seat and a vote in the Convention; *provided* he shall have been actually and canonically a resident of the State for the space of twelve calendar months next before the Convention. Each Church or Congregation in this Diocese, which is now a member, or shall hereafter be admitted a member of this Convention, shall be entitled to send to the Convention one or more Lay Delegates, not exceeding four, to be chosen by the Vestry or by the Congregation. *Provided* however, that no one person shall be the Delegate of more than one Church or Congregation at the same Convention. *Provided* also, that this Article shall not exclude from the Convention any Clergyman who is now and shall continue to be a resident in this State, and who is now a member of this Convention.

ARTICLE IV.

Every Convention shall be opened with Prayer, and a Sermon, which shall be delivered by some Preacher who has been nominated by the Ecclesiastical authority of the Church.

ARTICLE V.

A President shall be annually appointed, who shall preside in all meetings of the Convention, except when a Bishop shall be present, when he shall, *ex officio*, be President.

ARTICLE VI.

A Secretary shall be annually chosen, whose duty it shall be to keep a record of the proceedings, and to give timely notice to each Minister and Vestry, of the time and place of each meeting of the Convention in this Diocese.

ARTICLE VII.

A Standing Committee, of not less than three nor more than seven persons, shall be annually chosen by ballot. They shall have power to admit Candidates for the Ministry, and when there is not a Bishop, they shall examine and pass on the testimonials of foreign Clergymen. They may call special meetings of the Convention; and shall transact all other business as they are empowered to do by the Constitution and Canons of the General Convention. They shall also have power to fill any vacancies that may occur in their own body by death, removal, or otherwise, during the recess of the Annual Convention.

ARTICLE VIII.

A majority of the Standing Committee of this Church shall at all times be Clergymen of this Diocese; and no Layman shall be appointed a member of said Committee, except he be a communicant of the Episcopal Church.

ARTICLE IX.

In all questions which shall come before the Convention, when it shall be required by the Delegation of one Church or Congregation, or by any one Clerical member, the Laity shall vote by Congregations. And when it shall be so required, the two orders shall vote separately, and in the latter case, the concurrence of both orders shall be necessary to make a decision of the Convention. When no such division of the Convention shall be required, each member of the Convention, both Clerical and Lay, shall be entitled to one vote.

ARTICLE X.

The election of a Bishop of this Diocese shall be made in the following manner: The order of the Clergy shall nominate and appoint by ballot, some fit and qualified Clergyman for that office, and if this appointment be approved by the Lay order, he shall be declared duly elected. In the above mentioned nomination and appointment, a majority of each order shall determine the choice—provided that two thirds of all the Clergy entitled to votes be present, and two thirds of all the Congregations entitled to votes be represented; otherwise two thirds of the votes of each order shall be necessary to determine the choice.

ARTICLE XI.

This Constitution shall not be altered or amended, except by the concurrent votes of two-thirds of the attending members at an annual meeting of the Convention—such vote being taken in accordance with the preceding provisions of this Constitution.

CANONS

OF THE

PROTESTANT EPISCOPAL CHURCH OF NORTH CAROLINA,

As compiled and amended at the Annual Convention in May, 1830.

CANON I.—*Passed April 1817.*

Of Presentments.

Every trial of a Clergyman in this Church, for misbehaviour, shall be on presentment, made to the Bishop by the Convention, by the Vestry of the parish to which the Clergyman belongs, or by three or more Presbyters of the Church. In every presentment the charge or charges shall be distinctly specified.

CANON II.—*Passed April 1817.*

Of the trial of a Clergyman.

For the trial of a Clergyman, the Bishop shall appoint three Presbyters, who shall be constituted a board for trying the accused person. The Bishop shall fix the time and place of trial; of both which, at least a month's notice shall be given to the party accused; and should he neglect or refuse to attend, the trial shall proceed. The Board thus constituted, shall examine fully, the charges alleged, and keep a minute and accurate record of the testimony of the witnesses, and of every question and proceeding that comes before them. No charge shall be substantiated on the testimony of less than two witnesses. On the examination of any witness, should the accused party require it, an oath or affirmation shall be administered by a magistrate. In all questions, a unanimous vote shall be necessary to a decision. Having come to a decision on the charge or charges respectively, the Board shall communicate their decision to the Bishop—and, also, in case they have found the accused guilty, the sentence which, in their opinion, should be pronounced. A certified copy of the record of their proceedings shall be laid before the Bishop, and his judgment in the case be final.

CANON III.—*Passed April 1817.*

Of the sentence to be pronounced on a Clergyman found guilty of misbehaviour.

This sentence may be admonition, suspension, degradation from the ministry, or excommunication; and shall be pronounced by the Bishop and communicated to every Parish in the Diocese.

CANON IV.—*Passed April 1819.*

Respecting the call of a special Convention.

When a special Convention is called, it shall be the duty of the Secretary in issuing the notifications, to specify therein the business and purposes for which the Convention is to be assembled.

CANON 5.—*Passed April 1819.*

Concerning Parochial Registers and Reports.

In order to give effect to the 40th Canon of the General Convention in 1808, it is hereby required that each Minister of this Church shall keep a register of all the Baptisms, Marriages, and Funerals, solemnized by him in the discharge of his Ministry; specifying the names of the parties married, the name and time of the birth of the child baptised, with the names of the parents, and the name of the person buried, and the time when each rite is performed; which register shall be transcribed, at least once in every month, in a book to be kept for that purpose, belonging to the Vestry of each Church. He shall also keep a register of the names of the Communicants within his care. And it shall be the duty of each Minister to report annually to the Bishop, at the meeting of the Convention, the amount or sum total of said registers, and also the amount of the register of adults required to be kept by the aforesaid Canon of the General Convention, together with a written account of the state of the parish. Which reports shall be by the Bishop communicated to the Convention, and read in their presence, in order to promote a general knowledge of the state of the Church; and shall afterwards be preserved by the Secretary among the records of the Convention.

CANON VI.—*Passed April 1819.*

The Clergy required to attend the meetings of the Convention.

Whereas the regular attendance of the Clergy at the meetings of the Convention, is of essential consequence to the interests of the Church, this duty is hereby enjoined on them. At the opening of each Convention, the names of the Clergy entitled to seats therein shall be called over, the absentees noted, and at the ensuing Convention they shall be called upon for the reasons of their absence.

CANON VII.—*Passed May 1821.*

Of the forming of a Congregation.

Any association of ten or more adults, consenting to adopt and be governed by the Constitution and Canons of this Church, assuming some name by which their Church or parish may be designated, appointing a Vestry of four or more persons to manage the temporal concerns of their body, and also a Delegation of any number of persons, (not exceeding four,) may be received into union with this Church; and their Delegates shall be entitled to seats in the Convention, on producing a written certificate, signed by the Vestry, stating that the above conditions had been complied with.

CANON VIII.—*Passed May 1824.*

Respecting annual contributions.

An annual contribution shall be made by each Congregation in this Diocese, to defray the necessary expenses of the Bishop's visitations, and the contingent charges of the Convention, and likewise to furnish our quota to the contingent expenses of the General Convention; which sums shall be remitted to the Treasurer of the Convention as they shall be received.

CANON IX.—*Passed May 1824.*

Respecting the Bishop's authority to change the place of holding the Convention.

In all cases where a contagious disease, or any other sufficient cause, shall render it necessary, the Bishop may change the place of meeting appointed by the Convention.

CANON X.—*Passed April 1825.*

To appoint a Treasurer, and to prescribe his duties.

A Treasurer of the Convention shall be appointed annually. He shall have the custody of all moneys belonging to the Convention, and shall render to the Convention an annual account of all moneys so entrusted to him. The said Treasurer shall *ex officio* receive all money from the Trustees or General Agent of the fund for the Episcopate, as it may be collected, and vest the same, and all interests and dividends thereon, in the Capital Stocks of some one of the Banks of the State.

CANON XI.—*Passed May 1827.*

Authorising the Treasurer to invest the money belonging to Convention.

The Treasurer of the Convention shall, from time to time, invest in stock, or put out to interest on good security, as he may deem most ad-

vantageous, all moneys in the Treasury not especially appropriated, and all sums received for the use of the Episcopate.

CANON XII.—*Passed May 1830.*

Pointing out the additional duties of the Secretary.

It shall be the duty of the Secretary to preserve for the use of the members of Convention, during its sessions, six copies of the Constitution and Canons of this Church; and each year to preserve for the same purpose, six copies of the printed Journals of Convention. These papers the Secretary shall cause to be present at each Convention.

CANON XIII.—*Passed May 1830.*

On the election of a Bishop.

The Lay Delegates of no Congregation which is formed after a vacancy has occurred in the office of Bishop, by death or otherwise, shall vote in the election of the next successor in the office, or upon any question touching such election.